

## **LICENSING SUB COMMITTEE HEARING PROCEDURE REVIEW OF PREMISES LICENCE / CLUB PREMISES CERTIFICATE**

*The Chair will allow the parties an equal maximum period of time in which to make representations that will not normally exceed **twenty minutes**. Where more than one party makes relevant representations this time will be split between the parties and where several parties make similar representations it is suggested one representative is appointed to avoid duplication.*

*The term “party” or “parties” will mean anyone to whom notice of this meeting has been given.*

- 1 The Chair will introduce Members of the Sub Committee, the Officers present and explain the procedure to be followed.
- 2 The Licensing Officer will outline the nature of the matter to be considered by the Sub Committee.
- 3 (i) The Applicant, or representative, addresses the Sub Committee who may be asked relevant questions to the matter before the Sub Committee by the Licence Holder, other parties and Members.  
(ii) Witnesses may be called in support of the application who may be asked relevant questions by the other parties, Licence Holder and Members
- 4 (i) Any other party making relevant representations, or their representative, will address the Sub Committee who may be asked relevant questions by the Applicant , Licence Holder, other parties and Members.  
(ii) Witnesses may be called in support of representations who may be asked relevant questions by the Applicant, Licence Holder, other parties and Members.
- 5 Responsible Authorities making representation will address the Sub Committee and may be asked relevant questions by the Applicant, Licence Holder, other parties and Members.
- 6 The Licence Holder (or their representative) will address the Sub Committee and may be asked relevant questions by the Applicant, other parties and Members.
- 7 The other parties will be invited in turn to summarise their representations.

Responsible Authorities will be invited to summarise their representations

The Licence Holder will be invited to summarise their representations

The Applicant will be invited to summarise the application.

- 9 *The Chair will invite the Committee to move into private session to enable the Members to deliberate in private. The Committee will reconvene publicly if clarification of evidence is required and/or legal advice is required. The Committee may retire to a private room, or alternatively require vacation of the meeting room by all other persons.*

Whilst in deliberation the Committee will be accompanied by Legal and Democratic Service Officers for the purpose of assisting them in drafting their reasoning for the decision.

The Committee will reconvene the meeting and the Chair will announce the Committee's decision with reasons and advise that the decision will be released in writing within the statutory time limits or advise that the decision will be released in writing with reasons within the statutory time limit, in this instance, 5 working days.

**PLEASE NOTE:**

- Where the Sub-Committee considers it necessary to do so, it may vary this procedure.
- In circumstances where a party fails to attend the Committee will consider whether to proceed in absence. Should a matter be deferred the deferral notice will state that the matter may proceed in a party's absence on the next occasion. In deciding whether to proceed all notices, communications and representations will be considered.
- Only in **exceptional circumstances** will the Committee take into account any additional late documentary or other information produced by an existing party in support of their application/representation. This will be at the discretion of the Chair and with the agreement of all the other parties. No new representations will be allowed at the hearing.
- The hearing will take the form of a discussion and parties will be able to ask questions as set out above. However, formal cross examination will be discouraged.
- The Authority will disregard any information or representation given by a party which is not relevant to the Application and the Licensing Act 2003.
- Where there is more than one party making relevant representations the time allocated will be split between those parties.
- Where several parties are making the same or similar representations it is suggested that one representative is appointed to avoid duplication and make efficient use of the allocated time.
- Where an objection is made by an association or residents group, a duly authorised person – as notified to the Licensing Authority – may speak on behalf of that association or group.
- The Chair may request that persons behaving in a disruptive manner should leave the hearing and their return refused, or allowed subject to conditions. An excluded person is however, entitled to submit the information they would have been entitled to present had they not been excluded.

Bath & North East Somerset Council is committed to taking decisions in an honest, accountable and transparent fashion. On occasion however, it may be necessary to exclude members of the press and public pursuant to the Local Government Act 1972 Schedule 12 (a). In those circumstances reasons for such decisions will be given.